

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 25 1989
Returned to applicant for correction FEB 14 1989
Corrected application filed _____ Map filed MAY 5, 1980 under 40900

The applicant Newmont Gold Co.
P.O. Box 669 of Carlin
Street and No. or P.O. Box No. City or Town
Nevada 89822 hereby make application for permission to change the
State and Zip Code No. point of diversion and place of use
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit No. 41680
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 1.5 cfs (62.6 mga)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining, Milling and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35 T34N, R51E, MDM
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the NE corner of said Section 35 bears N
distance to a section corner. If on unsurveyed land, it should be stated.
87°42'E a distance of 711.00 feet.
6. The existing permitted point of diversion is located within Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Section 2 T34N,
If point of diversion is not changed, do not answer.
R51E, MDM at a point from which the NE corner of said Section 2
bears N88°11'E a distance of 2,683.00 feet.
7. Proposed place of use Section 34, 35 and 36 T34N, R51E MDM; Sections 1, 2,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
3, 10 and 11 T33N, R51E, MDM; Section 6 T33N, R52E, MDM
8. Existing place of use Patsy Ann 1 through 11 mill site claims located in
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
portions of NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) and NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 3) Section 2 T34N,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
R51E, MDM
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) existing drilled and cased well equip-
State manner in which water is to be diverted, i.e. diversion structure, ditches,
ped with motor, pump and pipeline to place of use
pipes and flumes, or drilled well, etc.
12. Estimated cost of works none - existing works
13. Estimated time required to construct works none - existing works

14. Estimated time required to complete the application of water to beneficial use.....5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....The total combined duty under 41635 and 41680 of 62.6 ac.ft/a.....
is proposed to be transferred by this application. Refer to.....
supporting maps filed under Permit No.s 41635, 41680, 40900 and.....
48329 to support this application.....

/s/ Michael D. Buschelman Agent
 By.....5405 Mae Anne Avenue.....
 Reno, Nevada 89523

Compared kh/se.....bp/se.....

Protested.....

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 41680 is issued subject to the terms and conditions imposed in said Permit 41680 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.5.....cubic feet per second, but not to exceed 192.1 acre feet annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....January 4, 1991.....

Proof of completion of work shall be filed before.....February 4, 1991.....

Application of water to beneficial use shall be made on or before.....January 4, 1992.....

Proof of the application of water to beneficial use shall be filed on or before.....February 4, 1992.....

Map in support of proof of beneficial use shall be filed on or before.....N/A.....

Completion of work filed.....MAR 6 1991.....

Proof of beneficial use filed.....APR 26 1991.....

Cultural map filed.....

Certificate No. 13398 Issued JUL 27 1992

IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....
 State Engineer of Nevada, have hereunto set my hand and the seal of

my office, this.....7th.....day of.....February.....

A.D. 19.....90.....

State Engineer

(PERMIT TERMS CONTINUED)

effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 40900, 47962, 48257, 48328, 48330, 48910, 48911, 48912, 49550, 49916, 49962, 51962, 52330, 52331, 52332, 52883, 52884, 53384, 53385, 54308-T, 54309-T and 54310-T shall not exceed 10,582 acre feet annually.

Any water obtained under Permits 52883, 52884, 53384, 53385, 54308-T, 54309-T and 54310-T as a result of the dewatering program by the permittee shall be used first for mining, milling, heap leaching, drilling, road water and other related mining and milling uses within the places of use as described.

